

Notice of Allowability

Application No.

09/599,712

Examiner

Elaine Gort

Applicant(s)

DICKSON, TIMOTHY E.

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's Amendment filed Aug. 17, 2005.
2. ☒ The allowed claim(s) is/are 1-7 and 13-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Taylor Davenport (Reg. No. 42,466) on January 23, 2006.

The application has been amended as follows:

In claim 1 line 12 the first occurrence of "the" has been replaced with --a--.

In claim 1 line 12 the second occurrence of "the" has been replaced with --a--.

In claim 3 line 2 the second occurrence of "the" has been replaced with --a--.

In claim 3 line 3 the first occurrence of "the" has been replaced with --a--.

In claim 13 line 12 the term "the" has been replaced with --a--.

In claim 14 line 22 the term "data" has been omitted.

In claim 20 line 2 the term "data" has been omitted.

The following is an examiner's statement of reasons for allowance:

The primary reason for allowance of the claims 1, 2, 4, 6, 7, 14-20 and 24 in this case is the inclusion of a transaction accounting delivery station located remotely from the fuel dispensers, which do not have receipt printers, where the vehicle is provided

with indicia at the fuel dispenser at the completion of the dispensing transaction and where the customer inputs the indicia at the remotely located transaction accounting delivery station to obtain a transaction accounting.

The primary reason for allowance of the claims 5, 3, 13, 21, 22, and 23 in this case is the inclusion of a transaction accounting delivery station located remotely from the fuel dispensers, which do not have receipt printers, where a transaction accounting is automatically prepared and presented to the customer if the customer vehicle is placed proximate to the transaction accounting delivery station and identified.

The combination as claimed was not reasonably found in the prior art of record.

Netherlands: Pilot Project at Shell disclose a system for dispensing fuel but does not disclose the inclusion of a transaction accounting delivery station located remotely from the fuel dispensers, which do not have receipt printers, where the vehicle is provided with indicia at the fuel dispenser at the completion of the dispensing transaction and where the customer inputs the indicia at the remotely located transaction accounting delivery station to obtain a transaction accounting and where a transaction accounting is automatically prepared and presented to the customer if the customer vehicle is placed proximate to the transaction accounting delivery station and identified.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elaine Gort whose telephone number is 571/272-6781. The examiner can normally be reached on Monday and Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571/272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be 'Elaine Gort', with a long horizontal flourish extending to the right.

Elaine Gort
Examiner
Art Unit 3627

January 23, 2006

The following is an examiner's statement of reasons for allowance:

The primary reason for allowance of the claims 1, 2, 4, 6, 7, 14-20 and 24 in this case is the inclusion of a transaction accounting delivery station located remotely from the fuel dispensers, which do not have receipt printers, where the vehicle is provided with indicia at the fuel dispenser at the completion of the dispensing transaction and where the customer inputs the indicia at the remotely located transaction accounting delivery station to obtain a transaction accounting.

The primary reason for allowance of the claims 5, 3, 13, 21, 22, and 23 in this case is the inclusion of a transaction accounting delivery station located remotely from the fuel dispensers, which do not have receipt printers, where a transaction accounting is automatically prepared and presented to the customer if the customer vehicle is placed proximate to the transaction accounting delivery station and identified.

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Elaine Gort
Examiner
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January 23, 2006